

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

ANDY KIM, in his personal capacity as a candidate for U.S. Senate, ANDY KIM FOR NEW JERSEY, SARAH SCHOENGOOD, SARAH FOR NEW JERSEY, CAROLYN RUSH and CAROLYN RUSH FOR CONGRESS,

Plaintiffs,

Civil Action No. 3:24-cv-01098

v.

CHRISTINE GIORDANO HANLON, in her official capacity as Monmouth County Clerk; SCOTT M. COLABELLA, in his official capacity as Ocean County Clerk; PAULA SOLLAMI COVELLO, in her official capacity as Mercer County Clerk; MARY H. MELFI, in her capacity as Hunterdon County Clerk; STEVE PETER, in his official capacity as Somerset County Clerk; HOLLY MACKEY, in her official capacity as Warren County Clerk; NANCY J. PINKIN, in her official capacity as Middlesex County Clerk; JOSEPH GIRALO, in his official capacity as Atlantic County Clerk; JOHN S. HOGAN, in his official capacity as Bergen County Clerk; JOANNE SCHWARTZ, in her official capacity as Burlington County Clerk; JOSEPH RIPA, in his official capacity as Camden County Clerk; RITA M. ROTHBERG, in her official capacity as Cape May County Clerk; CELESTE M. RILEY, in her official capacity as Cumberland County Clerk; CHRISTOPHER J. DURKIN, in his official capacity as Essex County Clerk; JAMES N. HOGAN, in his official capacity as Gloucester County Clerk; E. JUNIOR MALDONADO, in his official capacity as Hudson County Clerk; ANN F. GROSSI, in her official capacity as Morris County Clerk; DANIELLE IRELAND-IMHOF, in her official capacity as Passaic County Clerk; and JOANNE RAJOPPI, in her official capacity as Union County Clerk.

Defendants.

-and-

DALE A. CROSS, in his official capacity as Salem County Clerk; and JEFF PARROTT, in his official capacity as Sussex County Clerk; TAHESHA WAY, Esq., in her official capacity as Secretary of State for New Jersey.

As Interested Parties.

DECLARATION OF VALERIE VAINIERI HUTTLE IN SUPPORT OF AMICUS CURIAE BRIEF OF JOE COHN, STACI BERGER, JAMES SOLOMON, VALERIE VAINIERI HUTTLE, AND RAVI BHALLA IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

VALERIE VAINIERI HUTTLE hereby declares, pursuant to 28 U.S.C. § 1746 as follows:

1. I reside at 485 Highview Road, Englewood New Jersey. I submit this Declaration to provide my experiences with the “county line” (hereinafter, the “Line”) system. I do not submit this brief to endorse or signal my disapproval of any of the parties to the litigation.

2. My first experience into politics was in 1997, as a newcomer I ran for State Senate in District 38 on the Democratic line against a career type of politician. The district was a Republican district, I lost that year, however, came fairly close and made a name for myself. I decided to run in 2000 for Bergen County Freeholder aka “Commissioner” I won and served two terms as Freeholder and was elected the first female Chair of the Board. In 2005, I decided to seek the Assembly in District 37, after overcoming a challenge in the Democratic convention, I won. Thereafter, I won every subsequent election until my last race in 2021, when I ran off the Line for State Senate.

3. I am incredibly proud of my time in the Assembly and the legislative accomplishments that accompanied it. I served under three governors (Democrat and Republican) and authored major landmark bills including the Anti Bullying Bill of Rights, the Human Trafficking Protection Prevention and Treatment Act, I led the Legislature in enacting

long-term care reform in the wake of Covid 19 and spearheaded the passage of several landmark laws in support of LGBTQ equality.

4. I was honored by the Newark *Star Ledger* several times in recognizing me as one of the most effective legislators in the state and saying, “When it comes to making New Jersey Laws, Valerie Vainieri Huttel has had her name on top of more bills signed into law than any other lawmaker.” See attached **Exhibit A**.

5. During my tenure, I served in Leadership positions as the Deputy Speaker of the Assembly; Chair of Human Services Committee, Chair of Assembly Aging and Senior Services Committee; Chair of Homeland Security Committee; Vice Chair of Transportation Committee Vice Chair of Labor Committee, Vice Chair of Appropriations Committee, Vice Chair of Consumer Affairs and created the Assembly Bipartisan Women’s Caucus serving as Co-Chair. I was also a member of the Gaming, Tourism and Arts committee.

6. In addition, I was appointed as a Member on the New Jersey -Israel Commission; New Jersey State Interagency Coordinating Council, a forum to improve resources and services for families and infants and toddlers with disabilities; Special Investigatory Committee aka Bridgegate, and Ex-Officio Member of the New Jersey Council of the Arts.

7. In 2021, I announced that I would seek the District 37 State Senate seat in Bergen County. As part of my campaigning, I sought to be bracketed with the Democratic Party on the primary ballot by the Democratic Committee of Bergen County. In Bergen County, the Committee Chair is the *de facto* selector of which candidates will be placed on the Line. Unfortunately, the Committee Chair had decided to back the Democratic candidate I was competing with, which all but ensured I would not be on the Line.

8. While my decision was made to run off the line, I was honored and fortunate to receive the endorsements from many of the largest and leading organizations in the State including: CWA, SEIU, HPAE, NJ TENANTS ORGANIZATION EMILYS LIST, NOW, PAMS LIST, ASSOCIATION OF SOCIAL WORKERS, SIERRA CLUB, NJ CITIZEN ACTION, GARDEN STATE EQUALITY, WOMENS POLITICAL CAUCUS, WORKING FAMILIES, BLUE WAVE, LUPE PAC, AND MAKE THE ROAD NJ. However, the challenges remained to win off the line.

9. Without being placed on the Line, I faced the potential of being placed on Ballot Siberia unless I could find other candidates to be bracketed with. By “Ballot Siberia”, I mean that I faced the possibility of being listed on the ballot in a column which was separated by the column containing the Line candidates by blank spaces. To avoid this outcome, I was required, at my own expense, time, expenditures, and resources, to seek out other candidates with whom to bracket. Ultimately, I was able to find three other candidates to bracket with – a county clerk who was the former local mayor, and two council members who sought assembly positions – and so was able to avoid Ballot Siberia. By losing the Line but still having to work in a system that uses it, my position on the ballot suggested to voters that I was not associated with the Governor although I was a major supporter. This meant that when I did voter outreach, I directed voters to vote for the Governor, and then directed them to switch over to vote for me in a different column. It also meant that I necessarily was not able to bracket with a Governor, which is the highest-level official on the top of the ticket, and which drives voters to simply vote down the line. See attached **Exhibit A**.

10. In addition to the time and expense involved in the effort to bracket, my inability to appear on the Line required the expenditure of significantly more expenses for advertising. I

was forced to design advertisements informing voters of my location on the ballot, that I was running as a Democrat, and that I still endorsed all of the other Democratic candidates who appeared on the line but who I was deprived of being able to associate with (with the exception of the candidate I was running against).

11. Despite these expenses, I still spoke with voters after the election, including good friends, who stated that they could not find me on the ballot, that they did not understand that I was not listed on the Line, or did not understand they could vote for me and other candidates who were listed in the Line. I have seen firsthand how the Line contributes to voter confusion. These individuals sought to vote for the Gubernatorial candidate of their choice and thought that by voting “Column A” they also voted for me.

12. Ultimately, I lost that race. This was the consequence of having to compete against the primary weight of the Line, lack of association with high level candidates such as the Governor with whom I supported in that race, and the electoral disadvantage, and political cost, of persisting off the Line. The political cost that I suffered and continue to suffer is due to my refusal to drop out of the race and stay in the Assembly and run on the Line. My continuation of my campaign for State Senate meant that I would be further ostracized by my party peers, despite my longstanding commitment to successful public service and party leadership locally and statewide. The truth is, that many people are afraid to speak out against the Line or to offer an independent voice for fear of retaliation – they might lose the Line, or they may lose any patronage position they might have. For my part, I consistently voted the way my constituents wanted me to; I was not going to be bossed. And I have suffered the political consequences as a result, to the extent of effectively going into retirement due to the brokenness of the system. I am tired of fighting, and yet, I am not unique. Time and time again, I have witnessed what has

happened to good faith candidates, and strong elected leaders, who like me, refuse to be bossed. Simply put, the Line is not only bad for the health of a robust political party, but it is bad for democracy. The joke I would hear from county chairs is “*I can get Mickey Mouse elected if he was on the Line.*” I guess it could be true. Good people who represent the conscience and will of their constituencies, and who demonstrate strong public leadership, should be on-board and engaged, not ignored, or retired. NJ can and should be a leader in expanding pathways to democracy, not limiting them.

13. I take no position in this litigation in support of any of the candidates and put my trust in the voters. I simply submit this Declaration in furtherance of my direct experiences regarding the fundamental undemocratic nature of the primary ballot design. New Jersey’s county-line system is simply not democratic.

Executed on March 12, 2024



Valerie Vainieri Huttie

Exhibit A

Real Democrats.

Supported by real people.

Valerie Vainieri Huttie

for State Senate

**Gervonn Romney Rice and
Lauren Kohn Dayton**

for Assembly



Democratic Demócrata / 민주당 COLUMN 1 / COLUMNA 1 / 칼럼 1	Democratic Demócrata / 민주당 COLUMN 2 / COLUMNA 2 / 칼럼 2
DEMOCRATIC COMMITTEE OF BERGEN COUNTY PHILIP MURPHY	
FOR STATE SENATE >>>	REAL BERGEN DEMOCRATS VALERIE VAINIERI HUTTIE
FOR MEMBERS OF THE GENERAL ASSEMBLY >>>	REAL BERGEN DEMOCRATS GERVONN C. ROMNEY-RICE
	REAL BERGEN DEMOCRATS LAUREN M. K. DAYTON

**Democratic Primary
June 8.
VOTE COLUMN 2.**

Paid For By Friends of Valerie Vainieri Huttie for Senate
P.O. Box 8078
Englewood, NJ 07631
P37-21-A7
www.ValerieForSenate.com

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The Star-Ledger

“When it comes to making New Jersey laws, Valerie Vainieri Huttie has had her name on top of more bills signed into law than any other lawmaker.”

**Valerie is always here
for us. That's why we
are here for Valerie.**

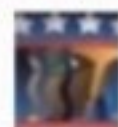
Champion for women's rights,
disability rights, and LGBTQ rights.

Supporting working families,
healthcare workers, and tenants.

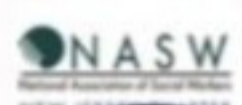
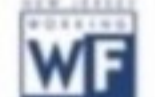
Environmental leader and fighting for
racial justice and immigration reform.



EMILY'S LIST
ignite change.



LUPE PAC
Labor Union for Political Engagement PAC



Valerie has so much support that this represents only a small sample of the organizations that support her.

“

A record is about more than how you vote, it's about who you fight for.
You can't be just a vote, you have to be a voice — and I will be
your voice in the State Senate.”

Valerie Vainieri

